

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MRI Software, LLC,	)	Case No. 1:12-cv-01082-CAB
	)	
Plaintiff,	)	Judge Christopher A. Boyko
	)	
vs.	)	
	)	Motion For Expedited
Lynx Systems, Inc.,	)	Discovery And Briefing Schedule
	)	
Defendant.	)	

In accordance with Federal Rule of Civil Procedure Rule 26(d)(1) and Local Rule 26.1, defendant Lynx Systems, Inc., moves the Court to grant Lynx expedited discovery and to issue a briefing schedule on plaintiff MRI Software, LLC's motion for preliminary injunction. (ECF # 6.) Specifically, Lynx requests an opportunity to conduct short, limited-scope depositions of the four witnesses who submitted declarations in support of MRI's injunction motion (David Post, Eric Smith, Shannon Zdanowicz, and Vicky Nodzak) and to file its opposition brief 14 days after finishing those depositions.

Granting Lynx's motion and permitting the limited discovery it seeks will not prejudice MRI. Presently, MRI has not perfected filing or service of its complaint or injunction motion because: (i) both filings omitted a "Master Agreement" exhibit, which MRI seeks leave to file under seal; and (ii) MRI's memorandum supporting its injunction motion is 16 pages over the 15-page limit, and the Court has not granted MRI leave to file that over-length brief. Therefore, Lynx's deadline to respond to both filings has not yet begun to run. For the same

reason, Lynx's previously-filed stipulated motion for 10-day extension to respond to MRI's filings was premature and therefore unnecessary. (*See* ECF # 9.)

To facilitate an orderly and fair disposition of MRI's injunction motion, Lynx requests that the Court grant each of MRI's motions for leave and set a briefing schedule that orders: (i) MRI to produce its four witnesses for deposition within 10 days of serving Lynx with a complete complaint and injunction motion, without prejudice to Lynx later deposing those witnesses under the full scope of Rule 26; (ii) Lynx to file its brief in opposition to preliminary injunction within 14 days after the depositions are concluded; and (iii) MRI to file its reply brief within the time permitted by local rule.

The reasons for granting this motion are more fully explained in the attached memorandum, which is incorporated herein by reference. For the Court's convenience, a proposed order also is attached.

Dated: May 22, 2012

Respectfully submitted,

s/ Matthew J. Cavanagh

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Certificate Of Service

I hereby certify that on May 22, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

s/ Matthew J. Cavanagh  
*Counsel for Lynx Systems, Inc.*